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10 Attorneys for Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

11 In re:

12 USA COMMERCIAL MORTGAGE COMPANY,

13 Debtor.

Case No. BK-S-06-10725 LBR

Case No. BK-S-06-10726 LBR

Case No. BK-S-06-10727 LBR

Case No. BK-S-06-10728 LBR

Case No. BK-S-06-10729 LBR

14 In re:

15 USA CAPITAL REALTY ADVISORS, LLC,

16 Debtor.

Chapter 11

17 In re:

18 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,

19 Debtor.

Jointly Administered Under

Case No. BK-S-06-10725 LBR

20 In re:

21 USA CAPITAL FIRST TRUST DEED FUND, LLC,

Debtor.

NOTICE OF HEARING RE: USA COMMERCIAL MORTGAGE COMPANY'S MOTION FOR APPROVAL OF APPOINTMENT OF A SUCCESSOR TRUSTEE FOR ITS DEFINED BENEFIT PENSION PLAN AND TO FREEZE THE PLAN EFFECTIVE SEPTEMBER 30, 2006

(AFFECTS USA COMMERCIAL MORTGAGE)

Date: September 28, 2006

Time: 9:30 a.m.

22 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Securities, LLC
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA First Trust Deed Fund, LLC

26 TO: ALL PARTIES IN INTEREST

27 NOTICE IS HEREBY GIVEN that Debtors and Debtors-in-Possession, USA Commercial

1 Mortgage Company ("USACM"), by and through its counsel, Schwartzer & McPherson Law
2 Firm, has filed a Motion for Approval of Appointment of a Successor Trustee for its Defined
3 Benefit Pension Plan and to Freeze the Plan Effective September 30, 2006 (the "Motion"). The
4 Motion requests that this Court enter an Order approving the substitution of USACM as the
5 successor trustee of the USA Commercial Mortgage Company Defined Benefit Pension Plan
6 ("Plan") in place of Ms. Victoria Loob, Mr. Thomas Hantges and Mr. Joseph Milanowski and
7 freezing the Plan effective on September 30, 2006 in accordance with the resolutions set forth in
8 the Written Consent attached to the Motion.

9 Any Opposition must be filed pursuant to Local Rule 9014(e)(1).

10 Local Rule 9014(e)(1): "Except for motions made pursuant to Fed.R.Bank.P.
11 7056 and LR 7056, an opposition to a motion must be filed and service
12 completed upon the movant not more than fifteen (15) days after service of
13 the motion, (*eighteen (18) days if service of the motion is by mail pursuant to*
14 *FRBP 9006(e) and (f)*), but in no event later than five (5) business days
15 before the date set for the hearing so that the movant receives the opposition
16 no less than five (5) business days before the hearing date or within the time
otherwise fixed by the court. The opposition must set forth all relevant facts
and must contain a legal memorandum. An opposition may be supported by
affidavits or declarations that conform to the provisions of subsection (d) of
this rule."

17 If an objection is not timely filed and served, the relief requested may be granted without a
18 hearing. *LR 9014(a)(1) and LR 9014(c)(1)(E)*.

19 NOTICE IS FURTHER GIVEN that the hearing may be continued without further notice.

20 NOTICE IS FURTHER GIVEN that the hearing will be held before a United States
21 Bankruptcy Judge, in the Foley Federal Building 300 Las Vegas Boulevard South, Las Vegas,
22 Nevada on September 28, 2006 at 9:30 a.m.

23 Dated: September 1, 2006.

24 
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